

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Astely, David	§	Group Art Unit:	2618
Serial No:	10/596,707	§	Examiner:	Nguyen, Hai V
Filed:	06/22/2006	§	Confirmation No.:	9781
		§		

For: Measurement Method for Spatial Scheduling

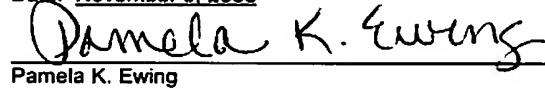
Via EFS-Web

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
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CERTIFICATE OF MAILING OR TRANSMISSION

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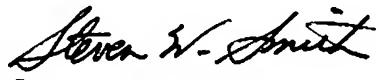
Date: November 6, 2008


Pamela K. Ewing

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the Notice of Non-Compliant Amendment dated October 14, 2008, the Applicant hereby resubmits the amendment dated 09/03/2008, which was inadvertently missing page 9 of 9, the signature page.

Respectfully submitted,


Steven W. Smith
Registration No. 36,684

Date: Nov. 6, 2008

Ericsson Inc.
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Plano, Texas 75024

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6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

OCT 20 2008
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Paper No.

Application No.:	10/596,707 	Date Mailed:	10/14/2008
First Named Inventor:	Astely, David,	Examiner:	NGUYEN, HAI V
Attorney Docket No.:	P18745-US1	Art Unit:	2618
Confirmation No.:	9781	Filing Date:	06/22/2006

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

**Notice of Non-Compliant Amendment
(37 CFR 1.121)**

Application No.
10/596,707

Applicant(s)
ASTELY, DAVID

Art Unit
3998

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 03 September, 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: _____.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

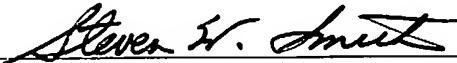
Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable TAMMY ACREE

Telephone No: (571)272-7017

The Amendment dated 9-3-08 is missing page 9 of 9 (the signature).

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. P18745-US1											
Applicant(s): David Astely		Examiner Hai V. Nguyen		Customer No. 27045 Group Art Unit 2618 Confirmation No. 9781												
Invention: Measurement Method for Spatial Scheduling																
COMMISSIONER FOR PATENTS:																
Transmitted herewith is an amendment in the above-identified application.																
The fee has been calculated and is transmitted as shown below.																
CLAIMS AS AMENDED																
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE											
TOTAL CLAIMS	25 -	25 =	0	x \$50.00	\$0.00											
INDEP. CLAIMS	2 -	2 =	0	x \$210.00	\$0.00											
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						\$0.00										
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00										
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. 50-1379 in the amount of \$0.00</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-1379</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p>																
 <i>Steven W. Smith</i> <i>Signature</i>																
Dated: September 3, 2008																
Steven W. Smith Reg No. 36,684 Ericsson Inc. 6300 Legacy Drive, M/S EVR 1-C-11 Plano, TX 75024																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px; text-align: center;">Certificate of Mailing or Transmission</td> </tr> <tr> <td colspan="2" style="padding: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First class or Express Mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted, or transmitted via EFS-Web to the USPTO, on the date indicated below.</td> </tr> <tr> <td colspan="2" style="padding: 5px; text-align: center;"> <i>Pam Ewing</i> <i>Signature</i></td> </tr> <tr> <td colspan="2" style="padding: 5px; text-align: center;">Pam Ewing September 3, 2008</td> </tr> <tr> <td colspan="2" style="padding: 5px; text-align: center;">Depositors's Name and Date</td> </tr> </table>							Certificate of Mailing or Transmission		I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First class or Express Mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted, or transmitted via EFS-Web to the USPTO, on the date indicated below.		 <i>Pam Ewing</i> <i>Signature</i>		Pam Ewing September 3, 2008		Depositors's Name and Date	
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